

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION
OF: PEES ET AL.

Box: REISSUE

PATENT NO. US 6,255,309 B1
ISSUED ON: JULY 03, 2001

ORIGINAL APPLICATION
SERIAL NO. 09/272,916
FILED ON: MARCH 19, 1999

FOR: FUNGICIDAL TRIFLUOROMETHYLALKYLAMINOTRIAZOLOPYRIMIDINES

Honorable Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S U B M I S S I O N

Sir:

Kindly enter and consider the following and the attached for prosecution of the above-identified Reissue application submitted herewith:

R E M A R K S

Applicants herewith submit an application to reissue U.S. Patent No. US 6,255,309 pursuant to 35 U.S.C. §251. Applicants believe the original patent to be partially inoperative or invalid by reason of patentee claiming less than he had a right to claim due to inadvertent error.

More particularly, in the course of the prosecution a claim to priority to PCT/US 98/05,615, filed on March 23, 1998, was submitted in application Serial No. 09/272,916 on July 22, 1999 (date of the Certificate of Mailing). However, due to inadvertent error, applicants omitted to perfect the priority claim by submitting a Certified Copy of the priority application as required under 37 C.F.R. §1.55 prior to the payment of the issue fee. The respective Certified Copy was subsequently submitted along with a "Petition for Late Entry of Priority Papers ..." (filed January 27, 2003; date of the Certificate of Mailing) and is, therefore, of record.

No new matter is being added by the application to reissue U.S. Patent No. US 6,255,309. Also, the scope of the claims granted in U.S. Patent No. US 6,255,309 is not being broadened by the application to reissue.

Applicants herewith submit the Declaration pursuant to 37 C.F.R. §1.175 duly signed by authorized representatives of the assignee of the invention disclosed and claimed in the Letters Patent No. 6,255,309 (Form PTO/SB/52), and have attached hereto a copy of the Letters Patent. Favorable action is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,
KEIL & WEINKAUF



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Encl.: Executed Declaration under 37 C.F.R. §1.175 (Form PTO/SB/52)
copy of Letters Patent No. 5,981,581

HBK/BAS